

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS-WASTE MANAGEMENT
INDUSTRIAL SITE EVALUATION ELEMENT
CN 028, TRENTON, N.J. 08625

ENVIRONMENTAL CLEANUP RESPONSIBILITY ACT (ECRA)

ADMINISTRATIVE CONSENT ORDER AFFIDAVIT

The purpose of this application is to solicit an Administrative Consent Order (ACO) from the New Jersey Department of Environmental Protection. The ACO will allow the transaction or closing to occur prior to full compliance with the act. In return, the ordered party agrees to fully comply with the ACO time requirements in accordance with the schedules agreed to in the ACO. Fee is \$2,000 (ACO) or \$500 (Amendment).

PLEASE TYPE OR PRINT

Date December 7, 1990

A. Has an ACO previously been executed for this site? X Yes No

If yes: Case Number 89633
Ordered Party Emerson Quiet Kool Corporation; The Jepson Corporation
Date of Execution August 28, 1989

B. Has an Initial Notice been filed for this transaction? X Yes No

If yes: Case Number 89633

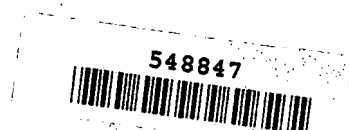
If no, attach a completed ECRA 1, General Information Submission (N.J.A.C. 7:26B-3.2), to this application for each facility to be included in the ACO along with appropriate fees pursuant to N.J.A.C. 7:26B-1.10. If the applicant is proposing a financial assurance less than \$100,000 for this site, include a fully completed Site Evaluation Submission in accordance with N.J.A.C. 7:26B-7.3(b).

C. The ordered party in this ACO will be the following: (Attach additional sheets if there are multiple ordered parties.)

Name The Jepson Corporation
Address Two North Riverside Plaza, Suite 1100
City or Town Chicago State Illinois Zip Code 60606
State of Incorporation, if applicable Delaware

D. Designate lead ordered party in instances where multiple ordered parties are proposed.

Name The Jepson Corporation
Address Two North Riverside Plaza, Suite 1100
City or Town Chicago State Illinois Zip Code 60606
State of Incorporation, if applicable Delaware



E. Industrial Establishment(s) in New Jersey: *(Attach additional sheets if there are more than one to be included in this ACO.)*

Name Emerson Quiet Kool, a division of The Jepson Corporation
Street Address 400 Woodbine Avenue
City or Town Woodbridge
Municipality Woodbridge County Middlesex
Block(s) 761B, 761C Lot(s) 1A, 1C, 1E,
1, 1B, 1C, 2A
State(s) of Incorporation Delaware

F. Description of Industrial Establishment operations *(be specific)*, include Standard Industrial Classification Number (SIC) *(Use additional sheets if more than one Industrial Establishment.)*:

General assembly plant for room air conditioners, dehumidifiers, and recreational
vehicle air conditioners (SIC 3585). Operations include metal fabrication for
copper and aluminum. Operations also include injection molding of polystyrene.

G. Current owner of the property for which this ACO is requested *(Use additional sheets if more than one)*:

Name Ravel Realty Associates
Street Address 209 South Olive Avenue
City or Town West Palm Beach State Florida Zip Code 33401
State of Incorporation, if applicable _____

H. Individual submitting this request:

Name John M. Marmora, Esq.
Affiliation Carpenter, Bennett & Morrissey
Address Three Gateway Center, 100 Mulberry Street
City or Town Newark State New Jersey Zip Code 07102-4082
Phone Number (201) 622-7711
Who do you represent? Emerson Quiet Kool - The Jepson Corporation

3/89

- I. Describe, in detail, the transaction for which this ACO is requested (closing, selling, stock purchase, etc.). (Attach additional sheets, if necessary.)

The Jepson Corporation has contracted to sell to Fedders Corporation its Emerson Quiet Kool Division. A copy of the Contract is attached to this application.

- J. Attach any agreement(s), termination notices, or letter(s) of intent for this sale, stock purchase, leasehold termination, or closing, if not previously submitted as part of the Initial Notice.

Date the agreement or Letter of Intent was signed July 10, 1990

Date for closing the transaction January 7, 1991, upon NJDEP approval

Date for cessation of operations N/A

- K. State the criteria as listed in N.J.A.C. 7:26B-7.1, upon which this ACO is being requested and appropriate justification to support the criteria.

The sites addressed herein are the subject of an open ACO, pursuant to which sampling plans have been approved. The Jepson Corporation will continue to perform its obligations under that ACO.

- L. Purchaser or new tenant (Attach additional sheets, if necessary)

Name Emerson Quiet Kool Corporation, a subsidiary of Fedders Corporation

Address 158 Highway 206

City or Town Peapack State New Jersey Zip Code 07977

State of Incorporation Delaware

- M. Partnerships: If the owner, operator, and/or ordered party is a partnership, give type of partnership (limited/general) and state where registered. Attach a list of the names and addresses of all current general partners.

N/A

N. Source(s) of Environmental Concern - Check all applicable categories concerning the Industrial Establishment and attach sheets providing any detailed information available.

<input checked="" type="checkbox"/> Drum Storage	<input type="checkbox"/> Waste Pile	<input type="checkbox"/> Seepage Pit	<input type="checkbox"/> Tank Farm
<input type="checkbox"/> Discharge	<input type="checkbox"/> Monitor Well	<input checked="" type="checkbox"/> Dumpster	<input checked="" type="checkbox"/> Transformer
<input type="checkbox"/> Injection Well	<input type="checkbox"/> Floor Drain	<input type="checkbox"/> Bldg. Decontam.	<input checked="" type="checkbox"/> UGST
<input checked="" type="checkbox"/> Roof Drain	<input type="checkbox"/> Septic System	<input type="checkbox"/> Asbestos	<input type="checkbox"/> Lagoon
<input type="checkbox"/> Spill	<input checked="" type="checkbox"/> Loading Docks	<input type="checkbox"/> Rail Sidings	<input type="checkbox"/> Impoundments
<input checked="" type="checkbox"/> Vents	<input checked="" type="checkbox"/> Pumping Station*	<input type="checkbox"/> Landfill	

* Sprinkler system

Other (Explain) Above-ground storage tanks for Freon, nitrogen, oxygen and Mapp Gas.

O. Summary of Enforcement Actions for Violation of Environmental Laws or Regulations

List any civil/criminal actions taken against the owner or operator, managers or officials of the industrial establishment(s) for violations of any environmental laws or statutes.

Check here if no enforcement actions are involved X

A. Date of Action N/A

Section of Law or Statute violated N/A

Type of Enforcement Action N/A

Description of the Violation N/A

How was the violation resolved? N/A

B. Date of Action N/A

Section of Law or Statute violated N/A

Type of Enforcement Action N/A

Description of the Violation N/A

How was the violation resolved? N/A

(Attach additional sheets, if necessary)

EMERSON QUIET KOOL - WOODBRIDGE

ATTACHMENT P

- Drum Storage** - 5 to 20 (55 gal.) empty drums are stored outside on asphalt area at rear of property. Drums formerly contained hydraulic and lubricating oils. Expended product is disposed of by recycling firm.
- Roof Drains** - Roof drains collect rain water and drain to the surface outside of the building.
- Vents** - There are two equipment vents. One is for evaporative oil and the other is for braizing area (copper on copper). Equipment vents are fully permitted with NJDEP. All other vents are non-equipment vents.
- Loading Docks** - There are 13 loading docks. The loading docks are paved with concrete.
- Pumping Station** - Sprinkler system.
- Dumpster** - Compactor for cardboard. Dumpster for non-industrial refuse.
- Transformer** - There are five transformers at the facility. One transformer may contain PCB's, while four do not contain PCB's.
- UGST** - Two fuel oil and two process refrigerant oil tanks. Fuel oil tanks are located outside. Refrigerant oil tanks are located under the building.

P. Purchaser or New Lessee Authorization:

I am the purchaser _____ and/or new lessee X of this Industrial Establishment. I have read this application and am aware of the requirements and conditions of ECRA Administrative Consent Orders. I agree to allow the seller, previous owner, or previous tenant plus the Department of Environmental Protection the right to enter the Industrial Establishment after I own it or lease it for the purpose of Environmental investigation and cleanup, if required.

Sworn to and Subscribed Before Me
on this tenth
Date of December, 19 90

Anna Kostak
Notary Public

ANNA KOSTAK
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires April 18, 1994

Q. Owner and Operator Authorization:

I hereby certify that I am fully aware of the requirements of the Environmental Cleanup Responsibility Act in particular the owner/operator responsibilities pursuant to the ECRA regulation, N.J.A.C. 7:26B-1. I acknowledge that an Administrative Consent Order has been requested to allow this transaction to proceed prior to full ECRA compliance and that the ordered party is agreeing to resolve all ECRA matters. I further acknowledge that the execution of an ACO by the ordered party shall not release me from any responsibilities I have pursuant to ECRA and the regulations.

THE JEPSON CORPORATION

By:

Gus J. Athas
Signature - Property Owner

Gus Athas

Printed Name

12-10-90

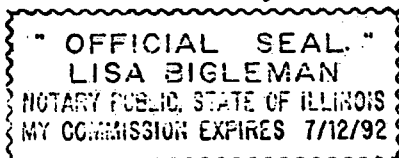
Date

Sworn to and Subscribed Before Me

on this 10th

Date of December 19 90

Lisa Bigleman
Notary Public



EMERSON QUIET KOOL CORPORATION

By:

Kent E. Hansen
Signature

Kent E. Hansen

Printed Name

December 10, 1990

Date

THE JEPSON CORPORATION

By:

Richard Matus
Signature - Operator of Industrial Establishment

Richard Matus

Printed Name

Date

Sworn to and Subscribed Before Me

on this _____

Date of _____ 19 _____

Notary Public

P. Purchaser or New Lessee Authorization:

I am the purchaser _____ and/or new lessee X of this Industrial Establishment. I have read this application and am aware of the requirements and conditions of ECRA Administrative Consent Orders. I agree to allow the seller, previous owner, or previous tenant plus the Department of Environmental Protection the right to enter the Industrial Establishment after I own it or lease it for the purpose of Environmental investigation and cleanup, if required.

EMERSON QUIET KOOL CORPORATION

Sworn to and Subscribed Before Me
on this _____
Date of _____, 19 _____

Notary Public

By: _____

Signature

Printed Name

Date

Q. Owner and Operator Authorization:

I hereby certify that I am fully aware of the requirements of the Environmental Cleanup Responsibility Act in particular the owner/operator responsibilities pursuant to the ECRA regulation, N.J.A.C. 7:26B-1. I acknowledge that an Administrative Consent Order has been requested to allow this transaction to proceed prior to full ECRA compliance and that the ordered party is agreeing to resolve all ECRA matters. I further acknowledge that the execution of an ACO by the ordered party shall not release me from any responsibilities I have pursuant to ECRA and the regulations.

THE JEPSON CORPORATION

By: _____

Signature - Property Owner

Gus Athas

Printed Name

12/07/90

Date

THE JEPSON CORPORATION

By: _____

Signature - Operator of Industrial Establishment

Richard Matus

Printed Name

12/10/90

Date

Sworn to and Subscribed Before Me

on this 7th

Date of December 19 90

Notary Public

" OFFICIAL SEAL "
CARIN R. WOLKENBERG
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 2/23/93

Sworn to and Subscribed Before Me

on this 10th

Date of December 19 90

Notary Public

GARY B. NATTER
Notary Public of New Jersey
My Commission Expires Oct. 16, 1994

3/89

R. CERTIFICATIONS:

1. The following certification shall be signed by the highest ranking individual at the site with overall responsibility for that site or activity. Where there is no individual at the site with overall responsibility for that site or activity, this certification shall be signed by the individual having responsibility for the overall operation of the site or activity.

I certify under penalty of law that the information provided in this document is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of N.J.S.A. 13:1K-6 et seq., I am personally liable for the penalties set forth at N.J.S.A. 13:1K-13.

Typed/Printed Name Richard Matus Title Vice President/Manufacturing

Signature *Richard Matus* Date 12/10/90

Sworn to and Subscribed Before Me

on this 10th
Date of December 19 90

Gary B. Natter
Notary

GARY B. NATTER
Notary Public of New Jersey
My Commission Expires Oct. 16, 1994

2. The following certification shall be signed as follows:

1. For a corporation, by a principal executive officer of at least the level of vice president;
2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
3. For a municipality, State, Federal or other public agency, by either a principal executive officer or ranking elected official.

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate, or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of N.J.S.A. 13:1K-6 et seq., I am personally liable for the penalties set forth at N.J.S.A. 13:1K-13.

Typed/Printed Name Milton L. Davies Title Executive Vice President-Finance

Signature *Milton L. Davies* Date 12/10/90

Sworn to and Subscribed Before Me

on this 10th
Date of December 19 90

Gary B. Natter
Notary

GARY B. NATTER
Notary Public of New Jersey
My Commission Expires Oct. 16, 1994

Have you enclosed a check or money order for \$2,000 (ACO) or \$500 (Amendment)?

X Yes No